

**Election with Traverse:**

**RESTRICTION REQUIREMENT**

Examiner issued a restriction for applicant to elect one of two inventions defined by the Examiner. Invention I is encompassed by claims 276-296 and 308-332; Invention II is encompassed by claims 297-307. Both inventions are classified in class 709, subclass 217. The reason cited by the examiner is: "The inventions are distinct, each from the other because Inventions I and II are related as subcombinations disclosed as usable together in a single combination.

**ELECTION WITH TRAVERSE**

Applicant elects Invention I with traverse, namely claims 276-296 and 308-332, drawn to a virtual network comprising a first e-shop/website hosting a first good/content that is dynamic; a second e-shop/ website; a third e-shop/website; and the enabling the third e-shop/ website to virtually present the first good/content and the second good/content if the first and second originated from the third e-shop/ website; and manage the first, second and third e-shop/website.

**Remarks/Arguments:**

**RESTRICTION**

The Examiner required an election between two inventions, Invention I (claims 276-296 and 308-332) and Invention II (claims 297-307) because Inventions I and II are related as subcombinations disclosed as usable together in a single combination.

Applicant elected Invention I with traverse.

Applicant traverses the requirement for three reasons:

- (1) The inventions are not subcombinations disclosed as usable together in a single combination. There is no single combination claimed or disclosed that embodies inventions I and II. Therefore, the restriction is based on an incorrect finding of a relationship of subcombinations disclosed as usable in a single combination.
- (2) None of the conditions stated justifying the restriction is present.
- (3) The current claim set is essentially the same invention declared as species III, elected by applicant in restriction requirement issued June 29, 2007. The Species III claims were re-written and consolidated in the applicant's amendment filed April 10, 2008.

**FURTHER DISCUSSION OF APPLICANT'S THREE REASONS**

REASON 1. Invention I differs from invention II by more than the addition of a third e-shop/website. Invention I involves two dynamic web sites and a third website that is not required to be dynamic wherein the third web site virtually presents the dynamic contents of the first two websites.

Invention II (claims 297-307) involves two dynamic web sites wherein a virtual presentation of the dynamic content of the first dynamic web site occurs on the

second dynamic web site. Thus, one of the dynamic websites must have the capability to virtually present the content from the other dynamic web site.

The distinction can alternatively be understood with reference to Fig. 15. Invention I has a virtual computer/server (1500) receiving contents from two or more dynamic servers. In contrast, Invention II has a virtual computer/server (1500) receiving contents from one or more servers and the virtual computer/server (1500) hosts contents of its own as well, and it adds its contents to the content page, the content page includes dynamically received contents plus content hosted by the virtual server.

REASON (2). The office action lists five potential reasons justifying the restriction, none of which applies:

- (a) The inventions have acquired a separate status in the art in view of their different classification. The classification for both inventions is the same as acknowledged in the office action. Therefore, this reason is not applicable.
- (b) The inventions have acquired a separate status in the art due to their recognized divergent subject matter. The subject matter is the same for both inventions. Therefore, this reason is not applicable.
- (c) The inventions require a different field of search (for example, searching different classes/subclasses or electronic resources, or employing different search queries). The field of search is the same for both inventions. Therefore, this reason is not applicable.
- (d) The prior art applicable to one invention would not likely be applicable to another invention. The prior art for both inventions is not likely to be different. Therefore, this reason is not applicable.
- (e) The inventions are likely to raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph. These non-prior art issues are not likely to be different. Therefore, this reason is not applicable.

**REASON 3.** Both Invention I and Invention II were previously considered a single species in the prior restriction issued June 29, 2007 and elected by applicant on October 28, 2007. Applicant divided this application into ten separate applications involving what were previously found to be separate inventions. These are detailed in the electronic file wrapper for the application under "Continuity Data." Applicant should not again be required to further divide his invention and elect yet again between what had been considered a single invention.

### **AMENDMENTS**

Applicant's amendments correct a spelling error in claims 276, 297 and 308 wherein "the computer reader medium" was intended to be "the computer readable medium" for which the antecedent basis exists in each such claim. The amendment is technical in nature and makes no substantive change.

Applicant amends claim 299 to insert omitted parts to the prior antecedent bases of the terms used. The amendment makes no substantive change.

Applicant amends claim 300 to correct a spelling error in "e-shop." The amendment makes no substantive change.

**Conclusions:**

This response is intended to fully respond to the office action mailed 29-JUL-2008. It is timely filed within the 1-month shortened statutory period.

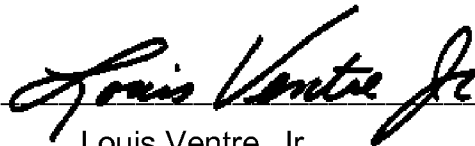
Amendments to the claims correct spelling errors and omissions to the full name of the antecedent bases. An election with traverse to Invention 1 (claims 276-296 and 308-332) has been made by applicant.

No additional claims fees are due as a result of the submitted amendments. No new matter is added to the application by the amendments in this response.

Therefore, applicant respectfully requests further examination of his application based on the amendments submitted, that a timely Notice of Allowance be issued in this case, and that the application be issued as a United States Patent.

Respectfully submitted,

Signed: August 1, 2008



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